

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 35087

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| STATE OF IDAHO, |) | 2009 Unpublished Opinion No. 585 |
| |) | |
| Plaintiff-Respondent, |) | Filed: August 26, 2009 |
| |) | |
| v. |) | Stephen W. Kenyon, Clerk |
| |) | |
| KATHLEEN L. LANCASTER, |) | THIS IS AN UNPUBLISHED |
| |) | OPINION AND SHALL NOT |
| Defendant-Appellant. |) | BE CITED AS AUTHORITY |
| |) | |

Appeal from the District Court of the First Judicial District, State of Idaho, Kootenai County. Hon. Lansing L. Haynes, District Judge.

Judgment of conviction and suspended unified sentence of five years, with one year determinate, for possession of a controlled substance, affirmed.

Steven D. Thompson, Ketchum, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before LANSING, Chief Judge, GUTIERREZ, Judge
and GRATTON, Judge

PER CURIAM

Kathleen L. Lancaster was charged with possession of a controlled substance, methamphetamine, I.C. § 37-2732(C)(1), and pursuant to a plea agreement, pled guilty to the charge. Lancaster was sentenced to a unified term of five years, with one year determinate, and the district court retained jurisdiction. After Lancaster completed her rider, the district court suspended the sentence and placed Lancaster on probation for two years. Lancaster appeals from her judgment of conviction and sentence, contending that the district court abused its discretion by imposing an excessive sentence.

Where a sentence is within the statutory limits, it will not be disturbed on appeal absent an abuse of the sentencing court’s discretion. *State v. Hedger*, 115 Idaho 598, 604, 768 P.2d 1331, 1337 (1989). We will not conclude on review that the sentencing court abused its

discretion unless the sentence is unreasonable under the facts of the case. *State v. Brown*, 121 Idaho 385, 393, 825 P.2d 482, 490 (1992). In evaluating the reasonableness of a sentence, we consider the nature of the offense and the character of the offender, applying our well-established standards of review. See *State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 170 P.3d 387 (2007).

Applying the foregoing standards and having reviewed the record, we conclude that the district court did not abuse its discretion by imposing the sentence. Accordingly, Lancaster's judgment of conviction and sentence are affirmed.